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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,019	02/01/2001	David Griffith	027-0001	7486
79140	7590	03/01/2010		
ZAGORIN O'BRIEN GRAHAM LLP (027)			EXAMINER	
7600B N. CAPITAL OF TX HWY.			PASS, NATALIE	
SUITE 350				
AUSTIN, TX 78731			ART UNIT	PAPER NUMBER
			3686	
			MAIL DATE	DELIVERY MODE
			03/01/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: DAVID GRIFFITH

Application No. 09/775,019
Technology Center 3600

Mailed: February 26, 2010

Before DEBORAH L. PERRY *Supervisory Paralegal Specialist, Review Team.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on January 25, 2010. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

AMENDMENT AFTER FINAL

A review of the file indicates that on February 9, 2009, Appellant filed an Amendment After Final. It is not clear whether this Amendment has been considered because an Advisory Action has not been mailed or because box 7 of an Advisory Action fails to indicate whether or not the proposed amendment will or will not be entered for purposes of appeal.

Clarification from the Examiner is required.

CONCLUSION

Accordingly, it is ORDERED that the application be returned to the Examiner:

- 1) appropriately respond to the Amendment After Final dated February 9, 2009; and

- 4) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DP/dw

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